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Conclusions of the third biannual review of the implementation of the Strategic Framework for Peacebuilding in Burundi

The Peacebuilding Commission

1. *Welcomes* the third biannual report on the implementation of the Strategic Framework for Peacebuilding in Burundi and expresses its appreciation for the contributions of the Government of Burundi, representatives of the civil society, women's organizations, the private sector, political parties, religious groups, the Bashingantahe institution and international partners, with support from the United Nations Integrated Office in Burundi, to the preparation of that report;

2. *Notes with appreciation* that the peace process in Burundi is entering a new phase and welcomes the significant progress achieved towards the conclusion of the disarmament and demobilization of former "Forces Nationales de Libération" (FNL) combatants and the release of children associated with them as well as the accreditation of FNL as a political party and its integration into national institutions;

3. *Welcomes* the establishment of the "Partnership for Peace for Burundi" as a mechanism to monitor and support the completion of the peace process;

4. *Also welcomes* progress in preparing for the 2010 elections, including the appointment of the National Independent Electoral Commission, and stresses the importance of an inclusive and transparent process;

5. *Further welcomes* the beginning of the national consultations on transitional justice;

6. *Welcomes* progress in the other priority areas of the Strategic Framework for Peacebuilding in Burundi, including efforts to improve political and economic governance, the reform of the justice system, the professionalization of the security forces and the elimination of mines achieved by the Government, and notes with particular satisfaction the abolition of the death penalty in the Penal Code as a positive step towards reconciliation;

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7. *Also welcomes* the continued financial support provided by multilateral and bilateral partners as well as the political support provided, in particular, by the Regional Initiative for the Burundi Peace Process and South Africa as the Chair of the Partnership for Peace in support of the peace process, and recognizes the continued support provided to peacebuilding and recovery efforts by the United Nations through the United Nations Integrated Office in Burundi;

8. *Reaffirms* its commitment to support the upcoming 2010 elections, as well as the completion of the disarmament, demobilization and reintegration process and the long-term reintegration strategy for ex-combatants, demobilized soldiers, returnees, internally displaced people and other groups affected by the war;

9. *Notes* the importance of a closer link between the Peacebuilding Commission in New York and Bujumbura to help take forward the recommendations of this review, and in this regard welcomes the establishment of a local platform of the Commission in Burundi;

A. Recommendations to the Government of Burundi

10. *Recommends* that the Government of Burundi:

Elections

(a) Ensure an environment conducive to the holding of free, fair and peaceful elections in 2010 and to the respect of the results by all, in line with existing laws, including through:

(i) Providing the National Independent Electoral Commission with the necessary resources required to fulfil its mandate and preserve its independence,

(ii) Promoting constructive dialogue and political space for all,

(iii) Respecting civil and political rights, in particular the freedom of opinion and the rights of political parties to hold meetings and other activities in compliance with the law,

(iv) Ensuring equal access to the media,

(v) Ensuring impartiality of the public administration in the electoral process;

(b) Take all the necessary measures to ensure the security of the electoral process and promote a zero tolerance policy on the use of violence and intimidation;

(c) Provide for a regular dialogue with the National Independent Electoral Commission, political parties and other stakeholders in order to reach and maintain consensus on issues related to the electoral process;

(d) Provide for a regular dialogue with the international partners of Burundi on the electoral process, including during and after the elections, and agree on an electoral road map with partners;

Good governance and the fight against corruption

(e) Take further action and keep its commitment to speed up efforts to combat corruption by expediting the settlement of cases currently before the courts, including the conclusion of pending cases referred to in the third progress report, by

conducting transparent investigations of open cases and by supporting and strengthening governmental and non-governmental organizations in the fight against corruption, building on recent successes and lessons learned;

Implementation of the Comprehensive Ceasefire Agreement

(f) Continue to work with the Partnership for Peace in Burundi in monitoring the peace process and addressing any challenges that may arise, particularly from the disarmament, demobilization and reintegration process, which must be conducted with due regard for the particular needs of women and children who participated in or were impacted by the conflict;

Security sector reform

(g) Finalize the comprehensive national plan for security sector reform, including the establishment of an agreed framework and modalities for rightsizing and professionalizing the army, the police and the national intelligence service;

(h) Continue efforts aimed at improving the overall security in the country, including disarming the civilian population, increasing transparency and accountability of the security services towards the national assembly, the population and civil society; and building the capacity of the security forces, in particular the police should pay special attention to the specific security challenges related to the elections;

Human rights and rule of law

(i) Increase efforts to broaden the respect for and protection of human rights, in particular through finalizing the establishment of the National Independent Human Rights Commission in line with international norms and the Paris Principles and provide it with the necessary resources; reconsider those elements in the Penal Code that criminalize same-sex relations; take decisive action against the perpetrators of violent acts, especially against women, children and albinos; enforce the rule of law, including through measures to improve the performance and independence of the judiciary; improve efforts to end impunity and expeditiously pursue transparent investigations of all open cases, including those referred to in the third progress report;

Transitional justice

(j) Ensure a conducive environment and conclude the national consultations on the establishment of the transitional justice mechanisms scheduled to be completed by December 2009 so as to ensure the timely establishment of these mechanisms in order to address accountability for past crimes and reconciliation;

Socio-economic issues

(k) Finalize, in consultation with international partners, the long-term strategy for community-based, socio-economic reintegration of former FNL combatants, children formerly associated with armed forces demobilized soldiers, returnees, internally displaced people, and other vulnerable groups affected by the conflict and start its implementation, taking into account experiences such as the integrated Rural Villages Programme;

(l) Continue efforts aimed at addressing the issue of harmonization of salaries in the public sector;

Land issues

(m) Finalize and adopt laws relating to inheritance and matrimonial regimes (*la loi sur les successions, les régimes matrimoniaux et les libéralités*) containing provisions relating to women's access to land; continue to provide support to the National Commission on Land and Other Assets; and implement the national land policy;

The gender dimension

(n) Continue the efforts directed towards the achievement of the minimum of 30 per cent female representation in the Government and the Parliament, as agreed in the Constitution; speed up efforts, jointly with other relevant stakeholders, to enhance gender mainstreaming in the political process and continue to promote women's participation in the upcoming elections; and, recognizing the particular vulnerability of women to conflict and their role in peacebuilding, take into account the particular needs of women in implementing all the recommendations of the present review;

International assistance

(o) Continue to provide leadership to the Partners' Coordination Group (*Groupe de Coordination des Partenaires*), with a view to maintaining regular and constructive dialogue with national stakeholders and international partners on the priorities of the Strategic Framework and the Poverty Reduction Strategy Paper, as well as to the policy dialogue on the opportunities to harmonize the two Strategic Frameworks in the light of the upcoming review of the Poverty Reduction Strategy Paper, with a view to simplifying and lightening the monitoring and reporting burden;

Regional dimension

(p) Strengthen the participation and lead role of Burundi in subregional organizations such as the African Union, the East African Community, the Economic Community of the Great Lakes Countries and the International Conference on the Great Lakes Region;

B. Recommendations to the Peacebuilding Commission and international partners

11. *Also recommends* that the Peacebuilding Commission and international partners:

Elections

(a) Provide, in response to the request of the Government of Burundi to the United Nations, required resources, including financial resources, and ensure coordinated and proper monitoring of the electoral process before, during and after the elections, taking into account the conclusions of the United Nations Needs Assessment mission;

(b) Encourage and support political dialogue among the Government, the National Independent Electoral Commission, the political parties and civil society, including women's and religious groups, in order to ensure peaceful, fair and transparent elections;

(c) Consider to:

(i) Help set up and follow up on an agenda for international support to the elections,

(ii) Contribute to the coordination of international efforts based upon an agreed road map and ensure that support is demand driven,

(iii) Mobilize resources needed when gaps emerge;

Peace process, including disarmament, demobilization and reintegration

(d) Support the Government in developing a long-term community-based strategy that will address socio-economic reintegration needs of former combatants, with special consideration to women, demobilized soldiers, children associated with armed forces, returnees, internally displaced people and other groups particularly affected by the war, and provide coordinated support for its implementation;

(e) Encourage the Regional Peace Initiative and South Africa to continue playing an active role in the Burundi Peace Process with a view to assisting a successful and sustainable conclusion of the peace process in the framework of the new Partnership for Peace in Burundi;

Security sector reform

(f) Provide support to the finalization of the comprehensive national plan for security sector reform and its implementation; continue providing the necessary support to the security sector with particular attention to the specific challenges related to the electoral process, including the professionalization of the police;

Mobilization of resources and aid effectiveness

(g) Make every effort in order to maintain the level of financial contributions pledged at the 2007 Round Table, to fully implement these pledges and to provide additional resources that will help Burundi to face the specific challenges of the global financial, economic and food crisis; and continue to help the Government of Burundi to make effective use of these resources;

(h) Provide strategic support to the upcoming review of the Poverty Reduction Strategy Paper and related resource mobilization efforts; use this review as a space for policy dialogue with the Government of Burundi on the opportunities to harmonize the Strategy Paper and the Strategic Framework;

(i) Help the Government of Burundi to develop new partnerships and broaden the donor base;

(j) Serve as a vehicle to ensure a close and regular link between international partners in Bujumbura and New York as a way to take forward the recommendations of this review, building on the mechanisms of the Partners' Coordination Group (*Groupe de Coordination des Partenaires*).